

REMARKS

Claims 1-42 are pending in the instant application. Claims 7 and 25, and the specification, have been amended. No new matter has been added by virtue of these amendments; support therefor can be found throughout the specification and in the original claims of the application.

As an initial matter, it is believed the amendments may be properly entered at this time, i.e. after final rejection, pursuant to 37 CFR §1.116, because the amendments do not require a new search or raise any new issues, and they reduce issues for appeal. Indeed, it is respectfully submitted that the within amendments place the application in condition for immediate allowance. Thus, entry of the amendments at this time is earnestly solicited.

As a further initial matter, Applicants appreciate the indication of allowable subject matter, i.e., that claims 1-24 and claims 26-42 are allowed.

The only outstanding objection / rejection relate to use of the tradename TYGON. In particular, the Office Action indicates that the specification is objected to for its recitation of allegedly 'new matter' by virtue of Applicant's previous introduction of a generic descriptor for the tradename TYGON.

As that objection is understood, issue is taken in that Applicant's sought to associate the tradename TYGON with polyvinylchloride (PVC) materials. The Office Action states that "TYGON includes various materials including those materials which are not PVC such as TYGON MPF-100."

Applicants acknowledge that the tradename TYGON has evolved over the years and is now associated with numerous materials beyond PVCs. For example, as the skilled artisan

would readily understand, the tradename TYGON is broadly construed to also include certain non-PVCs, such as some fluoroelastomers and urethanes, as well as other materials. The earlier proposed amendment was merely an effort to provide a basic generic descriptor for the well known tradename and it was not intended to improperly limit the meaning of the materials associated with that tradename. Indeed, the skilled artisan can well appreciate the meaning of that tradename when used in the context of this invention. TYGON is one of the preferred materials utilized in constructing the external manifolds of the present invention. As such, the tradename was recited in claim 25 of the present invention with certain other preferred materials including silicone, butyl rubber, poly(isoprene), copolymers of styrene and isoprene. The specification also clearly delineates TYGON as a preferred manifold material. Nonetheless, in order to expedite allowance of the application, the specification has been amended to remove the objectionable generic descriptor for the tradename TYGON. In doing so, Applicant submits that the meaning of the generic classes of materials associated with that tradename (as of the date of the present invention) in the context of the invention will be readily understood by the skilled artisan.

Withdrawal of the objection is therefore requested.

Claim 25 also stands rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Office Action alleges that the generic description of TYGON as PVC is unsupported in the specification.

The rejection is traversed. The statements provided above are restated in connection therewith as they are also relevant to the §112 rejection.

Likewise, however, in order to expedite allowance of the application, the tradename

TYGON has been removed from claim 25. The exclusion of the tradename from claim 25 is made merely to obviate the rejection. Ample coverage for the embodiment which includes TYGON is recited, for example, in claim 22 (from which claim 25 depends) "wherein the external manifold is machined, cast, or molded from a thermoplastic or thermoset resin or manufactured from plastic or rubber tubing." The scope of the present invention includes a broad range of manifold materials, including those known to the skilled artisan that are associated with the well known tradename TYGON.

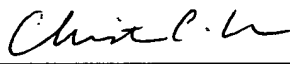
Withdrawal of the rejection is therefore requested.

A further objection to claim 25 is rendered moot by virtue of the within amendment. Its withdrawal is therefore proper as well.

Lastly, the Office Action acknowledges that the references cited in the Information Disclosure Statement filed on May 6, 2005, have been considered. However, the undersigned has not yet received an initialed copy of the PTO/SB/08 submitted with that IDS. Accordingly, it is requested that the Examiner **kindly return an initialed copy of the PTO/SB/08** with the next paper issued by the Office.

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

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By 
Christine C. O'Day
Registration No.: 38,256
EDWARDS & ANGELL, LLP
P.O. Box 55874
Boston, MA 02205
Phone (617) 439-4444
Fax: (617) 439-4170

Customer No. 21874